

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

[Lake Wylie, South Carolina]

HEARING #18-11711

MARCH 6, 2018

6:30 P.M.

DOCKET NO. 2017-292-WS:

CAROLINA WATER SERVICE, INC. – Application for Approval of an
Increase in Its Rates for Water and Sewer ServicesTRANSCRIPT OF TESTIMONY
AND PROCEEDINGS

VOLUME 1

HEARING BEFORE: Swain E. WHITFIELD, CHAIRMAN; Comer H.
‘Randy’ RANDALL, VICE CHAIRMAN; and COMMISSIONERS
John E. ‘Butch’ HOWARD, Elliott F. ELAM, Jr.,
Elizabeth B. ‘Lib’ FLEMING, Robert T. ‘Bob’
BOCKMAN, and G. O’Neal HAMILTON

ADVISOR TO COMMISSION: Josh Minges, Esq.
LEGAL ADVISORY STAFF

STAFF: Jocelyn G. Boyd, Chief Clerk/Administrator; James
Spearman, Ph.D., Executive Assistant to Commissioners; David W.
Stark, III, Esq., Legal Advisory Staff; William O. Richardson,
Technical Advisory Staff; Afton Ellison, Clerk’s Staff; Jo
Elizabeth M. Wheat, CVR-CM/M-GNSC, Court Reporter

APPEARANCES:

SCOTT ELLIOTT, ESQUIRE, representing CAROLINA
WATER COMPANY, INC., APPLICANT

MICHAEL KENDREE, ESQUIRE, representing YORK
COUNTY, SOUTH CAROLINA, INTERVENOR

FLORENCE P. BELSER, ESQUIRE, representing THE SOUTH
CAROLINA OFFICE OF REGULATORY STAFF

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P R O C E E D I N G S

CHAIRMAN WHITFIELD: I'll call this public hearing of the Public Service Commission of South Carolina to order, and I'd like to welcome you all here. Tonight is your night. We've come out to your local community to hear from you, and you'll be given some instructions from both our attorney here in just a minute, and also from the attorney from the South Carolina Office of Regulatory Staff.

But I'd like to start by introducing my fellow Commissioners. On my far right, we have Commissioner Elliott Elam from the Second District, representing the Second District. Beside him, we have Commissioner Bob Bockman, representing the Sixth District. Next to me, immediately on my right, we have Commissioner Lib Fleming, representing the Fourth District. On my far left, all the way down at the end, we have Commissioner Butch Howard, representing the First District. Next to him, we have Commissioner O'Neal Hamilton, representing the Seventh District. And then beside Commissioner Hamilton, we have Commissioner Randall, who is also Vice Chairman of the Commission, and representing the Third District. And beside me, we have our attorney, Josh Minges,

1 who will be our attorney this evening up here on
2 the bench with us. And way in the back, I think
3 many of you may have met her, we have our Executive
4 Director, Ms. Jocelyn Boyd, back in the back, back
5 there.

6 At this time, though, again, tonight is about
7 you, and we want to hear from each and every one of
8 you who has signed up to speak. We want everybody
9 to show courtesy and respect to each speaker. We
10 only have two working microphones in here tonight,
11 this one [indicating] and the one at the podium, so
12 I'm going to ask ORS to utilize that microphone
13 since they don't have a microphone at their table
14 that is operational tonight.

15 But, at this time, I'm going to turn it over
16 to our attorney, Josh Minges, to read the docket.

17 **MR. MINGES:** Thank you, Mr. Chairman.

18 Good evening, folks. Please silence your
19 phones. Also, please sign in at the back if you
20 want to speak this evening.

21 This proceeding before the Public Service
22 Commission in Docket No. 2017-292-WS concerns the
23 Application of Carolina Water Service,
24 Incorporated, for a rate increase.

25 This public hearing has been scheduled on

1 March 6, 2018, at the Thunderbird Campground in
2 Lake Wylie, South Carolina.

3 Now, at this time, I'll get the Office of
4 Regulatory Staff and the company to introduce
5 themselves.

6 **MR. ELLIOTT:** Mr. Chairman, I'm Scott Elliott.
7 I represent Carolina Water in this matter.

8 I would mention, for the benefit of the
9 Commission and for our ratepayers, that present are
10 a large number of our staff. In particular,
11 Catherine Heigel, our company president. So if you
12 have questions after this hearing, please feel free
13 to speak to any of these folks.

14 And just as a procedural matter, I would
15 mention that, with agreement of ORS, we will
16 reserve all objections to testimony until the time
17 of the hearing.

18 Thank you, Mr. Chairman.

19 **MS. BELSER:** Thank you, Mr. Chairman. I hope
20 you can see me over here. I don't like to have my
21 back to the audience nor my back to the Commission,
22 so, if you don't mind me standing to the side,
23 that's what I'll do.

24 Ladies and gentlemen, my name is Florence
25 Belser. I'm an attorney with the South Carolina

1 Office of Regulatory Staff. I'd like to thank you
2 for coming out tonight to provide your comments
3 regarding the rate case filed by Carolina Water
4 Service. We certainly appreciate your
5 participation and your interest.

6 Please realize that your comments tonight,
7 your testimony, will become part of the record of
8 this case. Ms. Wheat over here [indicating] is a
9 court reporter, and she will be taking down what is
10 said in the hearing tonight.

11 The Public Service Commission has scheduled
12 this hearing to receive your input. Now, you may
13 hear the Public Service Commission referred to by
14 the full name, you may hear them referred to as the
15 PSC, or the Commission, but we're all talking about
16 this body that's seated at the table in front. The
17 Commission is charged with making a decision on the
18 Application filed by Carolina Water Service. The
19 Commission sits as a quasi-judicial body. They act
20 as a board of judges in deciding this case.

21 My agency is known as the Office of Regulatory
22 Staff, or ORS. We are a separate agency from the
23 Public Service Commission. I know it's confusing
24 sometimes with who is what party or who is doing
25 what. But the ORS is charged with representing the

1 public interest in utility matters, and we go out
2 and do investigations or audits and then make
3 recommendations or present our findings to the
4 Commission in the hearing before the Commission
5 that will be held in Columbia.

6 We are separate agencies, and a lot of people
7 get that confused, but just know that you can talk
8 to us – and I'll explain that a little bit more in
9 a moment.

10 The Commission, as a quasi-judicial body, is
11 bound by the Code of Judicial Conduct. I know that
12 sounds funny, but they are bound by the same rules
13 as judges. They cannot talk or comment on this
14 case or any other case that is before them or
15 likely to come before them. It's not that they
16 don't want to talk with you. They are very
17 knowledgeable and they're people people. They like
18 talking to people. But the canons under which they
19 have to operate prohibit them from discussing this
20 case with you.

21 So as you present your testimony or your
22 comments tonight, please make your statement in the
23 form of a statement. They cannot answer your
24 questions.

25 As Mr. Elliott just acknowledged, there are

1 members from the company that can answer your
2 questions. With me tonight is Matt Schellinger;
3 he's also on the ORS staff. We will stay after the
4 hearing, if you have issues with service or issues
5 regarding your water or sewer service, we will try
6 to talk with you. If we can't help you, we can
7 take your name and number and have someone from our
8 Consumer Services Department give you a call.

9 I want to mention about the Code of Judicial
10 Conduct again. The reason that that is in place is
11 to ensure impartiality and fairness in all
12 proceedings. It wouldn't be fair for one party or
13 one group to be able to talk to the decision-maker
14 without the other party there. Just like you can't
15 go and talk to a judge that's trying a civil or
16 criminal case or a family court case, they can't
17 talk about this case.

18 If you need to contact ORS, you're welcome to
19 contact our Consumer Services Division in Columbia.
20 We can be reached at a toll-free number. I can
21 give that number to you now, if – some of you, I
22 see, have things to write with. That number is 1-
23 800-922-1531. Let me tell you that again: 1-800-
24 922-1531. Our Consumer Services Staff is available
25 during regular business hours Monday through

1 Friday, 8:30 to 5. And, like I said, Matt and I
2 will be glad to speak with any of you after the
3 hearing. We can't talk during the hearing, because
4 we need to listen to the testimony, but we will be
5 glad to speak with you, as well as the company
6 representatives.

7 Mr. Chairman, thank you very much
8 [indicating].

9 Mr. Chairman, I'm sorry. I apologize. I have
10 one other thing. I would ask, as the first hearing
11 exhibit, that the sign-in sheets from tonight's
12 hearing be marked and entered into the record of
13 this case.

14 **CHAIRMAN WHITFIELD:** Thank you, Ms. Belser.
15 We'll make the sign-in sheets Hearing Exhibit No.
16 1. And, Ms. Belser, we thank you for your
17 instructions regarding this evening.

18 Before we go any further, we do have a couple
19 of other parties who are Intervenors in this case,
20 in this proceeding. And if you are here – if they
21 happen to be here – as I call your name or your
22 entity, if you would stand up and be recognized, so
23 we can identify you as an Intervenor in this case.

24 Michael Kendree, for York County? You here,
25 sir?

1 **MR. KENDREE:** Yes, sir.

2 **CHAIRMAN WHITFIELD:** Okay. Laura Valtorta,
3 Forty Love Homeowners? Ms. Valtorta, are you here?

4 [No response]

5 And James Knowlton, who is a *pro se* litigant,
6 are you here, Mr. Knowlton?

7 [No response]

8 I don't see him.

9 At this time, the Commission has historically
10 recognized any local elected officials. I
11 understand from our attorney that Ms. Allison Love
12 is here and would like to be heard – would actually
13 like to speak, but at the end, I believe. Is that
14 correct?

15 **MS. LOVE:** Yes.

16 **CHAIRMAN WHITFIELD:** Okay. Thank you.

17 At this time, I'm going to turn it over to Mr.
18 Minges, our attorney, to call you to come forward,
19 with the sign-in sheet. I would ask again, as Ms.
20 Belser emphasized, but please remain at the podium
21 after your testimony is done, so that our court
22 reporter can get all this in the record and so it
23 gives me the opportunity to see if there – I would
24 ask whoever's cell phone that is to please silence
25 it, as well – but to give me an opportunity to see

1 if there are any questions from either the company,
2 or from ORS, or from any of the Intervenor, or
3 from Commissioners. And, again, Commissioners
4 cannot answer any questions – any of your
5 questions, but the Commissioners may have questions
6 for you.

7 So at this time, Mr. Minges.

8 **MR. MINGES:** Thank you, Mr. Chairman.

9 And just one other last reminder. So that
10 everyone will have a chance to speak tonight, the
11 testimony is limited to three minutes.

12 With all that said, Lee Kehler, would you
13 please come forward?

14 [Witness sworn/affirmed]

15 THEREUPON came,

16 **L E E K E H L E R ,**

17 who, having been first duly affirmed, testified as follows:

18 **MR. RICHARDSON:** Please state your name and
19 address, for the record.

20 **WITNESS:** My name is Lee Kehler. I live at 95
21 Heritage Drive, River Hills.

22 The purpose of me being here tonight is not to
23 chastise anybody for an increase, but it's to
24 explain a circumstance that came my way as a
25 resident. I was asked by CWS, or their

1 representative, if I would allow them to do a water
2 analysis of my home. We've lived here for 12
3 years. It's a 1983 bungalow. And I said, "Yes,
4 please do." Good business. They sent me the
5 honest results of that test and, quite frankly, I
6 couldn't believe what I saw. And I'll leave it up
7 to you that are more knowledgeable than I am as to
8 what their diagnosis of our water is. I came here
9 early tonight to make sure that the attorneys here
10 all had a copy of it, so they could look at it and
11 it could be part of the record. I won't dwell on
12 that, other than one special component, and that's
13 lead. This is dated 12/6/16. The lead, your
14 results, was .019 parts per million. EPA action
15 level, called "AL," is .05 ppm. EPA maximum
16 contamination level goal is zero parts per million.

17 So as I read the letter, another thing struck
18 me. It says children can show slight deficits –
19 show, rather, slight deficits in attention span and
20 their learning abilities. Adults who drink this
21 water over many years could develop kidney problems
22 or high blood pressure.

23 I have high blood pressure. I moved here from
24 a city that didn't have any water issues. So the
25 question in my mind: You people have all got – you

1 will have copies of these. They gave me six
2 choices to do, for me to resolve my problem.
3 Somehow, I find that inconsistent, standing in
4 front of the customer and asking for a raise when,
5 clearly, the water levels in my home do not meet
6 the standards of the EPA.

7 Thank you.

8 **CHAIRMAN WHITFIELD:** Wait just one second, Mr.
9 Kehler. Just one second. Before we take any
10 questions, if you're done with your testimony, did
11 you want to enter that in as evidence, your –

12 **WITNESS:** Yes.

13 **CHAIRMAN WHITFIELD:** Okay. You said that
14 early on. We're going to enter that in as Hearing
15 Exhibit No. 2.

16 And if you'll hold on just a moment, let's see
17 if there are any questions for you.

18 Mr. Elliott, any questions from the company?

19 **MR. ELLIOTT:** No questions. Thank you.

20 **CHAIRMAN WHITFIELD:** Ms. Belser, any questions
21 from ORS?

22 **MS. BELSER:** No questions

23 **CHAIRMAN WHITFIELD:** Commissioners, any
24 questions? Commissioner Howard.

25 <

EXAMINATION**BY COMMISSIONER HOWARD:****Q** Mr. Kehler.**A** Yes, sir.**Q** Were you able to identify where the source of the lead was, where the lead was?**A** No. I do have copper pipe in my home, as most folks have. The pipe that goes from the road to my home is plastic. So, I don't, but I followed the very specific instructions that they gave me as to how that water was to be tested and when, inside the home, so I feel they're – I gave them an honest test of my water, and I can't really explain anything further than that.**Q** What time of day did you test your water?**A** This was back in the fall of last year.**Q** I mean, what time of day? Morning? Afternoon?**A** Oh, I don't recall. They gave me very specific times to do that: run the water, take it, and –**Q** You answered my question.**A** – I followed those instructions.**Q** Thank you.**A** Okay.

CHAIRMAN WHITFIELD: Mr. Kehler, hang on one second, before I go back to Commissioner questions. We did have one Intervenor present tonight, Mr.

1 Michael Kendree, and, sir, I need to ask if you
2 have any questions for this witness.

3 MR. KENDREE: Thank you, no, sir.

4 CHAIRMAN WHITFIELD: No questions on behalf of
5 York County.

6 MR. KENDREE: No questions.

7 CHAIRMAN WHITFIELD: All right.
8 Commissioners. We're back – Commissioner Elam.
9 Mr. Kehler, hang on one second.

10 EXAMINATION

11 BY COMMISSIONER ELAM:

12 Q Good evening. Have you had any further testing of the
13 water?

14 A No. The only reason I'm here tonight is that I feel
15 very proud to be a resident of River Hills, and we have
16 a demographic in this community, as you probably know,
17 that half of this community was originally over 65 years
18 old. And I share the responsibility to those people to
19 make sure that they have everything they need as senior
20 citizens, and our children.

21 Q Can you tell me how old your house is?

22 A It was built, I believe, in 1983.

23 Q Okay. What about the faucets? Are there original
24 faucets from the '80s?

25 A No, that's all been replaced. I have a wife.

1 [Laughter]

2 So, no.

3 **Q** If you're sure you want to say that, we'll leave it on
4 the record.

5 **A** Put it on the record. At the moment, I do.

6 **Q** You're a braver man than I am. Thank you, sir.

7 **A** Thank you, sir.

8 **COMMISSIONER FLEMING:** I just want to say, I
9 think you should be thankful you have a smart wife,
10 it sounds like.

11 **WITNESS:** Yes, ma'am, absolutely.

12 [Laughter]

13 **CHAIRMAN WHITFIELD:** Any other Commissioner
14 questions for this witness, for Mr. Kehler?

15 [No response]

16 **EXAMINATION**

17 **BY CHAIRMAN WHITFIELD:**

18 **Q** If not, I do have one for you, sir, just kind of a
19 clarification for me. You said the company voluntarily
20 approached you; you didn't – or did you ask them to come
21 do this assessment?

22 **A** You know, I am not clear as to whether at one point I
23 may have made a phone call or made a gesture that I
24 would like to have my water tested. That's not clear to
25 me at the moment.

1 **CHAIRMAN WHITFIELD:** Okay. Well, thank you,
2 sir. I don't see any further Commissioner
3 questions at this time, so thank you for your
4 testimony, and you may step down, sir.

5 **WITNESS:** Thank you.

6 [WHEREUPON, the witness was excused.]

7 **CHAIRMAN WHITFIELD:** Next witness?

8 **MR. MINGES:** Gerald Tanser_[sic], would you please
9 come forward.

10 [Witness affirmed]

11 THEREUPON came,

12 **G E R A L D T A N S E Y ,**
13 who, having been first duly affirmed, testified as follows:

14 **MR. RICHARDSON:** Give your name and address
15 for the record.

16 **WITNESS:** My name is Gerald Tansey, 4154
17 Charlotte Highway, Clover, South Carolina.

18 **CHAIRMAN WHITFIELD:** Could you spell your last
19 name for us, please, sir?

20 **WITNESS:** T-a-n-s-e-y.

21 **CHAIRMAN WHITFIELD:** Thank you, sir.

22 **WITNESS:** Okay. I've got an exhibit here, and
23 it's an article about Carolina Water. It states
24 that Ralph Norman doesn't want to see the approved
25 rates that Carolina Water can get. I think most

1 people agree 15 to 30 percent is pretty absurd.
2 Social Security will not give me that increase, so
3 I think it puts a hardship on people. Most people
4 agree about the quality of water – you know, their
5 ring around the toilet, their stained shower
6 curtains, and such, you know, so I don't think the
7 quality meets the standards for an increase in
8 water. And I believe somebody from the State of
9 South Carolina down in Columbia was just hired by
10 Carolina Water to be one of their executives, and
11 I'm just hoping that all the Commissioners here see
12 that there is no collusion going on or any favors
13 being done or, you know, any greasing of the hand.

14 And that's about all I have to say, and you
15 can have this for evidence [indicating].

16 **CHAIRMAN WHITFIELD:** Mr. Tansey, we'll take
17 judicial notice of the article. We typically don't
18 enter those in as exhibits because it's a published
19 article by someone else, but we will take judicial
20 notice that you referenced it in your testimony.

21 **WITNESS:** Well, it says here in the article
22 that Mr. Norman contacted people in York County.
23 He contacted the Public Service Commission of the
24 State, and federal leaders. So it might be
25 something you want to check into, in your back

1 records, to see what he sent you.

2 **CHAIRMAN WHITFIELD:** Sure. Why don't you hand
3 that to our court reporter, or hand it to Mr.
4 Richardson there, and we will take notice of it.
5 And, excuse me, one second, sir.

6 Mr. Kehler, at the end of this, we do – our
7 court reporter does need to get your exhibit, as
8 well.

9 So, with that, Mr. Tansey – any questions, Mr.
10 Elliott, from the company, of this witness?

11 **MR. ELLIOTT:** No questions of Mr. Tansey.

12 **CHAIRMAN WHITFIELD:** Any questions from South
13 Carolina Office of Regulatory Staff, of this
14 witness?

15 **MS. BELSER:** No questions, Mr. Chairman.

16 **CHAIRMAN WHITFIELD:** And, Mr. Kendree, York
17 County, any questions?

18 **MR. KENDREE:** No questions, Mr. Chairman.

19 **CHAIRMAN WHITFIELD:** Okay. Thank you, sir.
20 Any Commissioners, questions of Mr. Tansey?

21 [No response]

22 Well, hearing none, thank you, Mr. Tansey, for
23 appearing and for your testimony, and you may step
24 down, sir.

25 [WHEREUPON, the witness was excused.]

1 [WHEREUPON, Hearing Exhibit Nos. 2 and 3
2 were marked and received in evidence.]

3 **MR. MINGES:** Mr. Chuck Ledford, if you would
4 please come forward.

5 [Witness affirmed]

6 THEREUPON came,

7 **C H U C K L E D F O R D ,**

8 who, having been first duly affirmed, testified as follows:

9 **MR. RICHARDSON:** State your name and address
10 for the record.

11 **WITNESS:** My name is Chuck Ledford. My wife
12 and I live at 1550 Woodcroft Drive, in Fort Mill,
13 which is real close to the Tega Cay area.

14 I have a transcript of what I'm getting ready
15 to say, if you so desire, for each one of you.
16 Would anyone care for a copy?

17 **CHAIRMAN WHITFIELD:** When you're done, if you
18 would, give a copy of that to our court reporter.

19 **WITNESS:** Okay, I surely will. Okay. My wife
20 and I, we're both retired. We live in an 1800
21 square foot house in Carowood Development. Some
22 hundred families live in the development. We don't
23 have swimming pools. We don't have an irrigation
24 system, so wanted to make sure that you realize
25 that.

1 I want to thank you for the opportunity to
2 provide some functional information, or factual
3 information regarding the rate-increase Application
4 of Carolina Water Service. It's not by choice that
5 I have been a customer of theirs since 1986; it's
6 out of necessity. My land will not perc and, as a
7 result, I need a sewage disposal system – which was
8 in place when I bought the property. So I've been
9 a customer of theirs for 31 years, and I have
10 compiled a huge amount of billing and usage
11 information regarding this company. I don't know
12 how far the Commission goes back, but my records
13 actually go back to 1989. People say, "How do you
14 do that?" I run Quicken software, and I can tell
15 you exactly how much my wife spent on getting her
16 hair done last week or last year and who she did it
17 with. So that's where I'm getting this
18 information.

19 And going over this, I thought it was rather
20 shocking to see the results. You know, you get
21 your water bill and you pay it, you know. And it
22 seems like it comes every other day. I think I get
23 a water bill every other day – at least I feel that
24 way. But I just used the last five years. I think
25 the last five years have been rather significant

1 for this company and what's been granted to them by
2 this Commission. I also ran an analysis of other
3 utility companies that provide service for me.

4 The first one I did was York Electric Co-op.
5 In 2013, my average monthly bill was \$156. In
6 2017, it was \$141. It's actually gone down about 9
7 percent in five years.

8 York County Natural Gas: 2013, my average bill
9 was \$38.83. In 2017, it was \$29.56. It's down 24
10 percent. Now there's some things that affected
11 that: a little more efficient furnace that I put
12 in, and some of the things that's done there
13 between the electric and the natural gas bill.

14 All righty, let's get down to Carolina Water.
15 In 2013, my average water bill was \$85.74 for a
16 month. In 2017, last year, my average water bill
17 was \$131.89 per month. My average usage has stayed
18 about the same. I think I'm the only one that
19 really reads my water meter on a regular basis,
20 because when I went out the other day to check it,
21 it was under about a foot of mud. My water meter
22 has not been read in months, so they're obviously
23 estimating my usage.

24 I understand I can't ask the Commission a
25 question, but I just wonder how many of y'all know

1 what you're paying for your monthly water and sewer
2 bill. This is out of -- it's atrocious. But I
3 submit that it's considerably less than \$131.89 per
4 month. I have rental property in Gastonia that I
5 rent to families. Their water bill and sewer bill
6 is \$150 a month, on city water and sewer in Gaston
7 County, Gastonia.

8 I'm running out of time. I've got 10 seconds
9 left. During the same period of five years, my
10 Social Security benefits went up 2.62 percent.
11 Real generous of them, wasn't it? So it makes it
12 sort of difficult for ends to meet with things like
13 this going on. Carolina Water is now asking the
14 Commission for even higher rates. I feel it's time
15 for this Commission to do something for the
16 citizens of this area by saying no to this rate
17 increase. Thank you.

18 [Applause from audience]

19 **CHAIRMAN WHITFIELD:** Thank you, Mr. Ledford,
20 for your testimony. Let's see if there are any
21 questions for you.

22 Mr. Elliott, any questions from the company?

23 **MR. ELLIOTT:** No questions for Mr. Ledford.

24 **MS. BELSER:** No questions from --

25 **CHAIRMAN WHITFIELD:** ORS, Ms. Belser?

1 MS. BELSER: – ORS.

2 CHAIRMAN WHITFIELD: Mr. Kendree, York County?

3 MR. KENDREE: No questions.

4 CHAIRMAN WHITFIELD: Commissioners, questions
5 for Mr. Ledford? Commissioner Fleming has a
6 question.

7 EXAMINATION

8 BY COMMISSIONER FLEMING:

9 Q Good evening. Nice to have you with us tonight. Could
10 you talk a little bit about the quality of water and the
11 service that you have with Carolina Water Service?

12 A You know, I read a lot of different things about my
13 neighbors and what they're saying. My water, I think on
14 a scale of 1 to 10, is about a five. I've got a pH
15 problem with the water where I live. It's very acidic,
16 and it attacks the plumbing. I've got copper pipes with
17 lead-free solder in my house. All the faucets have been
18 replaced. I mean, you can't even buy a faucet that'll
19 last more than five years. You know, it gets eaten
20 away, the seals, and corrosion is bad, from the
21 aggressiveness of the water. It's great water to swim
22 in, being acidic, very cleansing. You soap up real
23 well.

24 We drink the water. My wife – I mean, she goes
25 through bottled water like you wouldn't believe. She

1 don't drink it anything like I do. I normally drink it
2 for my coffee, more than anything else. But I've had
3 people – you know, over time, you get used to it. I
4 mean, you get used to the smell of it. You go on
5 vacation and you come back, and the water has got sort
6 of a musky type smell to it, where I live.

7 But as far as the service of these people, I've got
8 to say, at one time they had a real problem. I've got a
9 lift station in my backyard, and that thing was going
10 off and the buzzer ringing every other day, and sewage
11 was being dumped into the creek down there. And I know
12 they came out and fined them, and all they did was ask
13 you for a rate increase to cover that, I'm sure.

14 But as far as the quality of the water, I'd have to
15 rate it about a five. You know, I go to Wally World –
16 Walmart – to buy groceries, and I see people in there
17 buying water by the gallons of water. It's just
18 unbelievable how much water they buy. And most of it is
19 drinking water that they take home and drink personally
20 and give to their kids.

21 So as far as meeting all the standards, I also had
22 an analysis done, as this other gentleman had done, at
23 my house. And, you know, I did it the way they
24 instructed me to do it. You know, the time that they –
25 I think it was morning hours, they wanted me to run the

1 water for so much time and then collect the sample,
2 which is what I did. I didn't have a real lead problem
3 in the water, because I am on a well system that's
4 entirely different from the water that the people are on
5 here at this facility.

6 I hope I've answered your question.

7 **Q** Yeah. But, you – as I heard you, service has improved?

8 **A** It has. I think it has. At one time, that lift station
9 – they had a pump and a cutter in there, and it would
10 stop up. And I don't know if that's from the actual
11 quality or the service that the system was getting, but
12 it would actually quit pumping and the water would rise
13 at that point in time and run out into the creek, which
14 really bothered me that the raw sewage was being dumped
15 into the creek there behind my house. And you could
16 smell it. I mean, at my house in the summertime, you
17 could smell the sewage.

18 **Q** But that's been corrected.

19 **A** No, that has not.

20 **Q** Okay.

21 **A** That is still an issue that we have, and it's
22 particularly during the summer months. And if the wind
23 is blowing – you know, my house faces south, so the wind
24 comes primarily out of the southwest. But if it comes
25 out of the northwest, that's when we get the issue.

1 **Q** Thank you, very much.

2 **A** But my biggest thing is the amount of increase that the
3 Commission has granted these people over the years is
4 unbelievable, so it's time to say no.

5 **Q** Thank you.

6 **A** Okay.

7 **CHAIRMAN WHITFIELD:** Thank you, Commissioner
8 Fleming.

9 Any other Commissioner questions for Mr.
10 Ledford?

11 [No response]

12 Well, if not, Mr. Ledford, thank you for your
13 testimony, and you may step down, sir.

14 **WITNESS:** Thank you.

15 [Applause from audience]

16 [WHEREUPON, the witness was excused.]

17 **MR. MINGES:** Al Vesting, would you please come
18 forward.

19 [Witness affirmed]

20 THEREUPON came,

21 **A L L E N R . V E S T I N G ,**

22 who, having been first duly affirmed, testified as follows:

23 **MR. RICHARDSON:** Please state your full name
24 and address.

25 **WITNESS:** Allen Vesting, 1132 Black Walnut

1 Road, Clover.

2 I moved here about three years ago. We moved
3 into a block, and the builder – we got the homes,
4 and they included the sprinkler systems in with
5 them, because it's mostly retired people there, so
6 we don't have to cut the grass and everything else.
7 Then we found out at that time that we would be
8 charged for sewer, for that water that we use for
9 the sprinkler system that didn't go in the sewer.
10 So me and a bunch of others, we got a plumber to
11 come in, dug it up, put in a separate meter for our
12 sprinkler system, so we wouldn't get charged for
13 sewer water that wasn't going in the sewer. A year
14 later, Carolina Water comes and says, "No good.
15 We're going to charge everybody the same rate for
16 sewer, no matter what you use." Now, I don't think
17 that's fair if they're basing their sewage on the
18 amount of water that's going out, and a lot of our
19 block, retired people, it's two people, and you've
20 got other people with seven people in the house.
21 You should pay for what you use. And for them to
22 come along and state one thing and just be able to
23 change it in the middle of the stream, and start –
24 have one rate for that – because now I pay for the
25 sewer one rate and I pay for two meters every

1 month. And my water bill is the highest bill of
2 everything I've got in the house.

3 And as far as what some of the other people
4 say, I buy bottled water to drink because when the
5 other gentleman was talking about changing his
6 faucets, I have a wife that's a cleaning fool. She
7 goes with a Q-tip on all the faucets because
8 they're all black. Now she wants me – she's
9 talking about changing all the faucets in the
10 house. I mean, this would be a thing I have to do
11 every few years, because there's this black
12 substance that builds up around them. And these
13 people want a raise, and they're not giving us any
14 quality, and they just do whatever they want. I
15 don't think they should get a raise.

16 That's it.

17 **CHAIRMAN WHITFIELD:** Thank you. Is it Mr.
18 Besting?

19 **WITNESS:** Vesting.

20 [Applause from audience]

21 **CHAIRMAN WHITFIELD:** V-e-s-t-i-n-g?

22 **WITNESS:** Yes.

23 **CHAIRMAN WHITFIELD:** Okay. Thank you, Mr.
24 Vesting. Let's see if there are any questions from
25 the company.

1 Mr. Elliott?

2 MR. ELLIOTT: I have no questions of Mr.
3 Vesting, but is it V- – as in Victor – -e-s-t-i-e?

4 WITNESS: -i-n-g.

5 MR. ELLIOTT: -i-n-g.

6 WITNESS: V-e-s-t-i-n-g.

7 MR. ELLIOTT: And I'm sorry, also, I didn't
8 catch the address.

9 WITNESS: It's 1132 Black Walnut Road.

10 MR. ELLIOTT: Black Walnut Road. Thank you.

11 WITNESS: And that's Clover

12 CHAIRMAN WHITFIELD: Okay. Is that it, Mr.
13 Elliott, from the company?

14 MR. ELLIOTT: Yes, sir. Thank you.

15 CHAIRMAN WHITFIELD: Ms. Belser, ORS?

16 MS. BELSER: No questions.

17 CHAIRMAN WHITFIELD: And Mr. Kendree, York
18 County?

19 MR. KENDREE: No, questions Mr. Chairman.

20 CHAIRMAN WHITFIELD: Okay. Commissioners,
21 questions of Mr. Vesting? Commissioner Fleming.

22 **EXAMINATION**

23 **BY COMMISSIONER FLEMING:**

24 **Q** Thank you for being here tonight. Have you asked
25 Carolina Water Service about what is causing the black

1 substance?

2 **A** No, I haven't. It seems everybody's got it, and there's
3 just nothing you can do about it. That's the water we
4 get.

5 **CHAIRMAN WHITFIELD:** Commissioners, any other
6 questions from Mr. Vesting?

7 **WITNESS:** Oh, I have one other comment,
8 please. I heard a rumor that York County might
9 take it over. I think that would be a great idea,
10 and get rid of them completely.

11 [Applause from audience]

12 **CHAIRMAN WHITFIELD:** Hold on one second. I
13 don't think there are any further Commissioner
14 questions, Mr. Vesting. I don't really have a
15 question for you, and it doesn't appear that other
16 Commissioners do, but I would certainly remind you
17 – as Ms. Belser did at the beginning – the company
18 officials are here, who were identified earlier.
19 Also, Ms. Belser has some folks from South Carolina
20 Office of Regulatory Staff, who can discuss some of
21 these issues with you. Again, the Commissioners
22 are not allowed to do so, but you do have two
23 groups here tonight that I think would be good
24 resources for you.

25 So, with that, sir, I thank you for your

1 testimony.

2 **WITNESS:** Thank you. I will discuss it with
3 them after the meeting.

4 **CHAIRMAN WHITFIELD:** That'd be great.

5 [WHEREUPON, the witness was excused.]

6 Next witness, Mr. Minges.

7 **MR. MINGES:** Charles Wood, would you please
8 come forward.

9 [Witness affirmed]

10 THEREUPON came,

11 **C H A R L E S W O O D ,**

12 who, having been first duly affirmed, testified as follows:

13 **MR. RICHARDSON:** Please state your name and
14 address.

15 **WITNESS:** My name is Charles Wood. I live at 3
16 Cedarwood Court in River Hills and have been a
17 resident in this area for about 38 years. But more
18 important, I am Chairman of the Lake Wylie Chamber
19 of Commerce Board of Directors. Approximately
20 24,000 people now live in the Greater Lake Wylie
21 Area, and, obviously, the Chamber of Commerce does
22 not think that Carolina Water deserves a rate
23 increase, because the area is growing so rapidly.

24 We have over 2000 houses already approved by
25 York County Planning and Zoning, in Lake Wylie,

1 that will come onto Carolina Water's system at no
2 charge, meaning all they have to do is hook up the
3 master meter to serve the subdivision. But the
4 builders have had to put in the water lines and the
5 sewer lines, which are then turned over to Carolina
6 Water at no charge. How much further growth do we
7 need in the area, as far as water is concerned?
8 Yes, I understand that Carolina Water has spent
9 \$13.9 million in improving their system. But of
10 that, only \$200,000 was spent here in York County
11 for an approximately 50-year-old system. Seems
12 like it's chump change, getting Band-Aids to take
13 care of the leaks and the problems.

14 As far as quality is concerned, I live at the
15 end of a cul-de-sac and we have seen improvement in
16 the quality of our water over the last couple of
17 years, for which I'm grateful.

18 But, basically, those are the comments. We
19 just do not think, with the rapid growth in the
20 Lake Wylie area, that Carolina Water's system
21 deserves a rate increase. Thank you.

22 **CHAIRMAN WHITFIELD:** Thank you, Mr. Wood.

23 Mr. Elliott, any questions of Mr. Wood?

24 **MR. ELLIOTT:** No questions of Mr. Wood.

25 **CHAIRMAN WHITFIELD:** Ms. Belser.

1 **MS. BELSER:** No questions.

2 **CHAIRMAN WHITFIELD:** Mr. Kendree, for York
3 County?

4 **MR. KENDREE:** Yes, please.

5 **CHAIRMAN WHITFIELD:** Yes, sir. Let me give
6 you this mic, if you don't mind, so our court
7 reporter can hear you [indicating].

8 **MR. KENDREE:** [Indicating.] Thank you, Mr.
9 Chairman.

10 **CROSS EXAMINATION**

11 **BY MR. KENDREE:**

12 **Q** Thank you, Mr. Wood. I was just curious if the Chamber
13 has taken this matter up, as a matter for consideration
14 as a full body?

15 **A** The Chamber is interested in this, but we have not – it
16 has not been before my board, as far as an official
17 position. But we're a 16-man board with 100 percent
18 attendance all the time, which is great, and they are
19 all equally concerned about the proposed rate increase
20 from Carolina Water Service.

21 **MR. KENDREE:** Thank you

22 **CHAIRMAN WHITFIELD:** Thank you, Mr. Kendree.
23 Commissioners, questions of Mr. Wood?
24 Commissioner Fleming.

25 <

EXAMINATION**BY COMMISSIONER FLEMING:****Q** Good evening.**A** Good evening.**Q** You said there are 2000 new homes coming in?**A** That have already been approved in York County to be built here in Lake Wylie.**Q** And they'll be on Carolina Water Service?**A** That is correct.**Q** And they are putting in the pipes and all. What about the systems used to deal with the water and sewer – sewage?**A** It all goes to Rock Hill on a high-pressure sewer line.**Q** Okay, so –**A** – and it's treated there.**Q** Okay, so these homes will be – they will be treated just like all the others.**A** That is correct.**Q** Okay.**A** As I understand.**CHAIRMAN WHITFIELD:** Thank you, Commissioner Fleming.

Commissioners?

[No response]

Well, hearing no further questions from

Commissioners, Mr. Wood, thank you for your appearance and for your testimony. And you may step down, sir.

WITNESS: Super. And let me simply say that we appreciate the Public Service Commission coming to Lake Wylie and Clover/Tega Cay area to hear us, and it certainly is more efficient than all of us going to Columbia. Thank you.

CHAIRMAN WHITFIELD: Thank you, sir.

[WHEREUPON, the witness was excused.]

Mr. Minges.

MR. MINGES: Thank you, Mr. Chairman.

Brian Augustine, would you please come forward?

[Witness affirmed]

THEREUPON came,

B R I A N A U G U S T I N E ,

who, having been first duly affirmed, testified as follows:

MR. RICHARDSON: Please state your full name and address.

WITNESS: Brian Augustine. 12 Duckhook. I live in River Hills.

I came from Cabarrus County where I had a home, two and a half years ago, and I sold it, came here, and bought a house in River Hills. It was a

1 mess. But I got into the plumbing in the house and
2 I started noticing the plumbing was unbelievably
3 horrible how it had built-up corrosion inside, so I
4 replaced all the plumbing. I remodeled this house
5 completely. And I put a whole-house filtration
6 system on it by Aquasonic, which is rated number
7 one for pulling out leads and arsenic and all the
8 different things that can be in water today.

9 Every three months, I change the filter. It
10 has a post-filter and it has a pre-filter. When
11 that water comes in at the beginning of it, it is
12 unbelievable. Next month when it comes up, or next
13 time I change it, I'm sending them to the EPA,
14 because the one on the backside, it looks like
15 charcoal. It's the color of – the filter, after
16 it's gone all the way through the whole system,
17 there's another filter before it enters the house,
18 so there's two – a pre- and a post-filter. It's a
19 very sophisticated system. It's a million-gallon
20 whole-house filtration system. It's better than
21 bottled water when it gets out the other side. But
22 that filter on the backside as it comes out of the
23 system, after it's already been through the pre-
24 filter, it looks like charcoal. There is something
25 in the water, something black that's in the water.

1 I wouldn't drink this water in River Hills if you
2 paid me, okay? I'm sure that when I send these
3 filters – because I've got proof; I've got a post-
4 filter and a pre-filter – to the EPA, it's going to
5 be amazing what's going to come out of this whole
6 thing. Talking about lead? You guys are going to
7 have Flint on your hands. Now you'll know about
8 it. But five times in the last two years, they've
9 called for boiling: "Don't use the water. Boil the
10 water." Carolina Water. I didn't even get proper
11 notification from those guys.

12 I went out there and watched this guy come by
13 and read my meter. My meter is like that far
14 [indicating] underwater. I've complained to them.
15 I said, "I think the thing is leaking." No one
16 ever looks at it. I went out the last time and
17 said, "Did you read it?" He goes, "Yeah." I said,
18 "How the hell you going to read it when it's about
19 that far [indicating] under dark water?" This kid
20 that comes by, he looks like he's smoking dope – I
21 don't know.

22 But at any rate, if I were going to drink
23 this, like at McDonald's or anything else – you
24 talked about the quality of water. It's horrible.
25 If you saw the pipes in this house that was built

1 in 1980, you would understand what I'm talking
2 about. I replaced all the plumbing in the whole
3 house, so it's all PEX now. But, you know, I also
4 put a whole-house filtration system on it so this
5 house won't have that problem again.

6 That's it. The quality of water stinks.
7 Horrible. So if they were going to be rated for a
8 rate increase, the first thing they should do is
9 maybe get their stuff together about the quality of
10 this water. They really need to dig in and find
11 out what's really going on with this water. And
12 why is it so expensive, because I came from
13 Cabarrus County and I paid \$40 – I couldn't – I had
14 an irrigation system; it was a four-bedroom, two-
15 and-a-half-bath house. I couldn't pass \$50 bucks a
16 month, doing all that. Here, I can't get below
17 \$100. So something's not right. And we're more
18 water rich here than we were up there.

19 Anything else?

20 **CHAIRMAN WHITFIELD:** Mr. Augustine, if you're
21 done with your testimony, before we take questions,
22 I don't think you – for some reason, we didn't
23 think to get your – if you could repeat your
24 address for our court reporter, so we can get it on
25 the record?

1 **WITNESS:** 12 Duckhook – D-u-c-k-h-o-o-k –
2 Circle. Duckhook Circle. And it's in River Hills.
3 I live here.

4 **CHAIRMAN WHITFIELD:** All right. I think we
5 got that.

6 Mr. Elliott, questions for this witness?

7 **MR. ELLIOTT:** No questions of Mr. Augustine.

8 **CHAIRMAN WHITFIELD:** Ms. Belser?

9 **MS. BELSER:** No questions.

10 **CHAIRMAN WHITFIELD:** Mr. Kendree, York County?

11 **MR. KENDREE:** No questions.

12 **CHAIRMAN WHITFIELD:** Commissioners, questions
13 of Mr. Augustine? Commissioner Bockman.

14 **EXAMINATION**

15 **BY COMMISSIONER BOCKMAN:**

16 **Q** Good evening, Mr. Augustine. Thank you so much for your
17 testimony. What contact have you made with the company
18 looking to investigating this problem that you
19 identified for us?

20 **A** Just the way that they treated this boil-water situation
21 was a joke, and they just don't give me the impression –
22 especially the guy that reads the meter – they don't
23 give the impression that they really are top-notch
24 [indicating] “professionals,” so I'm not wasting my
25 time. I mean, I am going to send my filters and have

1 somebody analyze them, because you won't believe it. I
2 showed it to my neighbor, and he said, "Man, I'm not
3 drinking this water." It's unbelievable how filthy it
4 is. So there's – you know, the – you know, I understand
5 you're going to have dissolved – undissolved particles
6 in water, but the amount of stuff that's in the water
7 here is horrible. So you want to come over to my house?
8 I'll show you one of my filters.

9 **Q** Mr. Augustine, I'm not sure I –

10 **A** Well, there it is, a very sophisticated water system.
11 It's not – you know, and installed by a plumber, so it's
12 not done second-rate, but it does a hell of a job
13 cleaning out. But it's amazing what comes out of the
14 water.

15 **COMMISSIONER BOCKMAN:** Thank you, sir.

16 **WITNESS:** Thank you.

17 **CHAIRMAN WHITFIELD:** Thank you, Commissioner
18 Bockman.

19 [WHEREUPON, the witness was excused.]

20 Next witness?

21 **MR. MINGES:** Thank you, Mr. Chairman.

22 Charles Wood.

23 **MR. WOOD:** I already spoke.

24 **MR. MINGES:** Okay. John Gauci? I'm sorry if
25 I'm mispronouncing your name.

[Witness affirmed]

THEREUPON came,

J O H N G A U C I ,

who, having been first duly affirmed, testified as follows:

MR. RICHARDSON: State your name and address for the record.

WITNESS: John Gauci. 2 Blackberry Lane, Lake Wylie.

I'm going to add to what this gentleman was talking about: irrigation. When I first moved here, I realized that we were being charged to water grass for metered – the meter was – the sewer was being metered. Ridiculous. I was watering grass. I went to the expense of a plumber to put in a separate meter. Little did I realize the water company charged me additional money to look over six inches to read my irrigation meter. That's what I was being charged for. Additional \$15-\$17 a month, through the winter when not one drop was used.

Last meeting, here, I found out, "Mr. Gauci, we'll come and disconnect the meter for nothing, in November, and you will not be charged from November until you re-hook." I said, "That's great, do it." They did it. I found out to re-hook, which takes

1 two minutes, \$35. So that's a grand total of maybe
2 \$15. Is it worth it? I'm just trying to explain
3 the integrity of this company, how they nickel-and-
4 dime you.

5 I hooked up to my home water yesterday,
6 because they changed it now: One flat rate for all
7 water for the sewer. It ran me \$150 yesterday to
8 re-hook what I once had, so they could keep their
9 meter. I will not give them an additional \$180 a
10 year, or whatever it is. I will not do it. I'd
11 rather give it to the plumber, once, yesterday.

12 One other thing: I left Long Island, New York.
13 Very expensive state. Suffolk County Water, I had
14 the sprinklers going three times a week. Every
15 three months, approximately \$45. And I had two
16 children home. Now it's only my wife and myself.

17 When I first moved here, before we renovated,
18 the toilet ran overnight. Over \$200. Come on.

19 I got a 2 percent Social Security increase
20 this year. Nothing, last year. Two percent,
21 Social Security. Medicare raised us 1½ percent. I
22 made a half a percent. But that's my problem;
23 that's not your problem. The water company is our
24 problem, and it's a big problem. It's disgusting.
25 I don't think – well, I don't like to say that,

1 because my wife loves it here, and so do I. But I
2 would think twice before I'd move into this area,
3 if I had to do it again. Sorry. Thank you.

4 [Applause from the audience]

5 **CHAIRMAN WHITFIELD:** Mr. Elliott, any
6 questions for this witness?

7 **MR. ELLIOTT:** No questions of Mr. Gauci.

8 **CHAIRMAN WHITFIELD:** Ms. Belser?

9 **MS. BELSER:** No sir, no questions.

10 **CHAIRMAN WHITFIELD:** Mr. Kendree, York County?

11 **MR. KENDREE:** No questions, thank you.

12 **CHAIRMAN WHITFIELD:** Commissioners, any
13 questions for Mr. Gauci?

14 [No response]

15 Well, hearing none, thank you for your
16 testimony and thank you for your participation.

17 **WITNESS:** Thank you.

18 [WHEREUPON, the witness was excused.]

19 **CHAIRMAN WHITFIELD:** Next witness?

20 **MR. MINGES:** Andrew Rivan, would you please
21 come forward?

22 [Witness affirmed]

23 THEREUPON came,

24 **A N D R E W R I V A N ,**

25 who, having been first duly affirmed, testified as follows:

1 **MR. RICHARDSON:** Please state your name and
2 address.

3 **WITNESS:** My name is Andrew Rivan. I live in
4 Autumn Cove Subdivision, 4189 Autumn Cove Drive.
5 I'm at the end of a cul-de-sac.

6 There were two things I wanted to touch base
7 with tonight; one has already been covered, the
8 flat fee for sewer. If I use \$20 worth of water,
9 I'm paying \$58; they want to up it another \$10-and-
10 some-change. I feel that's unfair.

11 Also, we have — I don't know if I'm being
12 singled out because we have a pump station next-
13 door to our house, but we were told that we had to
14 get insurance to cover their equipment if it were
15 to fail and damage our property. I feel that is
16 also unfair. I don't see how I should have to pay
17 when it's their equipment that they are supposed to
18 be maintaining. Especially when they're getting
19 all this money from everybody, which I think
20 they're not even entitled to in the first place.

21 So I don't know if anyone else has to get
22 insurance to cover their piping to their house, or
23 not, but like I said, I may be singled out because
24 there's a pump station next door. And after every
25 rain, our backyard smells like a sewer, so I think

1 the equipment does need to be looked at. And if it
2 does need serviced, I think that if they have to
3 dig up my backyard that I shouldn't have to pay,
4 because it's not my fault that your equipment
5 wasn't maintained properly.

6 That's pretty much all have to say.

7 **CHAIRMAN WHITFIELD:** Thank you, Mr. Rivan, for
8 your testimony.

9 Mr. Elliott, any questions for this witness?

10 **MR. ELLIOTT:** No questions for Mr. Rivan.

11 **CHAIRMAN WHITFIELD:** Ms. Belser?

12 Hold on, Mr. Rivan. Hold on one second, Mr.
13 Rivan.

14 **MS. BELSER:** No questions.

15 **CHAIRMAN WHITFIELD:** Ms. Belser?

16 **MS. BELSER:** No questions.

17 **CHAIRMAN WHITFIELD:** Mr. Kendree, York County.

18 **MR. KENDREE:** No questions, Mr. Chairman.

19 **CHAIRMAN WHITFIELD:** Commissioners, questions
20 of Mr. Rivan?

21 [No response]

22 Hearing none, thank you for your testimony and
23 thank you for your participation.

24 [WHEREUPON, the witness was excused.]

25 Next witness, Mr. Minges.

1 **MR. MINGES:** Ms. Linda Fick, would you please
2 come forward.

3 [Witness affirmed]

4 THEREUPON came,

5 **L I N D A H . F I C K ,**
6 who, having been first duly affirmed, testified as follows:

7 **MR. RICHARDSON:** Please state your full name
8 and address.

9 **WITNESS:** Linda Hogan Fick. 3006 Shandon
10 Road, Rock Hill, South Carolina 29730.

11 **CHAIRMAN WHITFIELD:** Ms. Fick, if you don't
12 mind, could you pull that microphone up just a
13 little bit?

14 **WITNESS:** Up [indicating]?

15 **CHAIRMAN WHITFIELD:** Yes, ma'am, so our court
16 reporter and we can get this in the record. Thank
17 you.

18 **WITNESS:** This evening, I have a summary of
19 some of the points I wish to make.

20 **CHAIRMAN WHITFIELD:** Hold on just one second
21 and let Mr. Richardson help you just a minute.

22 **MR. RICHARDSON:** [Indicating.] Good?

23 **WITNESS:** If it's okay for you.

24 As I was saying, I have a summary of some of
25 the points I wish to express tonight, in three

1 minutes, if I can. Otherwise, it's here in
2 writing, along with some exhibits, that I'd like to
3 present to the clerk for filing [indicating].

4 **MR. RICHARDSON:** [Indicating.]

5 **WITNESS:** I represent my fellow residents in
6 Shandon Subdivision, which is part of Eastern York
7 County. We've just finished an experiment in
8 horror with Carolina Water Service and their
9 predecessor, Utilities Services of South Carolina,
10 concerning the water treatment plant that was
11 established in Shandon Subdivision, and through
12 neglect and poor maintenance practices, and so
13 forth, the water company actually destroyed the
14 lagoon with effluent levels so high that DHEC had
15 to threaten to shut them down. They were given an
16 opportunity to make amends and to try some
17 different programs, but ultimately it was in such
18 poor shape that it had to be replaced with a pocket
19 treatment plant.

20 Now we have a problem with water and water
21 quality and delivery and the flow rate, and I see
22 this going the same way as the water treatment
23 sewage situation went, where a lot of money is put
24 into temporary Band-Aids by Carolina Water Service,
25 and it's all for naught because, ultimately, they

1 tend to allow situations to become so desperate
2 that there isn't any other choice but to scrap a
3 project or scrap the equipment and start all over.

4 One of the very irritating things that's
5 occurring right now, concerning our water
6 situation, they've closed two of the wells in
7 Shandon. That leaves us with one well, which is
8 allegedly putting out four gallons per minute,
9 which is insufficient as far as DHEC is concerned.
10 So they carry in water in a tanker that's coming
11 from High Point, North Carolina. And that truck
12 brings in 6000 gallons of water two to three times
13 a week, to fill our 10,000-gallon tank. If there
14 isn't room, they dump that water in the street
15 along Shandon Road.

16 Since we've had a meeting with the water
17 company, they have stopped dumping the water in the
18 road in front of us, and they go somewhere else to
19 dump that water, because they can't go back on the
20 highway to get back to their home base with less
21 than an empty truck, for safety reasons, because of
22 the speed on the interstate. So we're watching to
23 see if they will eventually get a new well dug, or
24 if they are going to continue this bringing in
25 water by tanker. It's just ridiculous that we also

1 have to put up with the fact that we are under a
2 mandatory ban on outside watering. And this has
3 been going on since November 2015. So for almost
4 three years now, we pay a flat fee for water and
5 sewer, and we are not allowed to use the water for
6 outside watering purposes. And now we're looking
7 at facing another increase in the water-sewer rates
8 and what have we got? Nothing. And we don't have
9 any accommodation by the water company.

10 I think it's time that the Legislature
11 actually look at this entire situation. But as a
12 public utility, water and sewer providers need to
13 realize that they are providing us service. This
14 is not a business for profit. There should be no 8
15 to 9 to 10 percent profit margin for investors.
16 This is a community service. It's a matter of
17 stewardship for a basic essential commodity that
18 every household needs. And it will assist the
19 growth of York County and South Carolina if good,
20 well-run, well-cared-for utilities can be placed
21 within financial reach of ordinary homeowners and
22 businessmen. Thank you.

23 [Applause from audience]

24 **CHAIRMAN WHITFIELD:** Ms. Fick, do you want to
25 mark your testimony you gave our court reporter as

1 a hearing – would you like that marked as a hearing
2 exhibit?

3 **WITNESS:** Yes, please.

4 **CHAIRMAN WHITFIELD:** Okay. We will do it. So
5 ordered. We'll make that as a hearing exhibit.

6 **WITNESS:** I appreciate it.

7 [WHEREUPON, Hearing Exhibit No. 4 was
8 marked and received in evidence.]

9 **CHAIRMAN WHITFIELD:** And if you'll stay with
10 me just a minute to let me see if there are any
11 questions for you, Ms. Fick.

12 Mr. Elliott, questions for this witness?

13 **MR. ELLIOTT:** No questions of Ms. Fick.

14 **CHAIRMAN WHITFIELD:** Ms. Belser, any questions
15 from Office of Regulatory Staff?

16 **MS. BELSER:** No questions.

17 **CHAIRMAN WHITFIELD:** Mr. Kendree, York County?

18 **MR. KENDREE:** None from York County.

19 **CHAIRMAN WHITFIELD:** Commissioners, questions
20 of Ms. Fick? Commissioner Fleming.

21 **COMMISSIONER FLEMING:** Yes.

22 **EXAMINATION**

23 **BY COMMISSIONER FLEMING:**

24 **Q** Thank you for being here this evening. I appreciate
25 your testimony. Could you talk a little bit – I believe

1 you said you had a meeting with Carolina Water Service
2 concerning these issues?

3 **A** Yes.

4 **Q** Could you tell us, did you bring up the situation with
5 the wells?

6 **A** Yes, and they – Carolina Water Service – did initiate,
7 after we'd been in the situation for about a year and a
8 half, a proposed meeting at one of the area churches,
9 not too far from Shandon, and for an open discussion
10 where we could ask questions of the water company and
11 see what was going on, what they had planned, because up
12 until that point we had no idea what exactly they
13 thought could be done. Unfortunately, we didn't agree
14 with what they were doing, but they were attempting to
15 open a dialogue. The problem I saw in attending the
16 meeting was that, when questions were put to the
17 representatives there speaking on behalf of Carolina
18 Water Service, they had a tendency to say, "That sounds
19 like a good idea." At the meeting was Willie Morgan, of
20 the Office of Regulatory Staff, and he participated in
21 suggesting, as did several homeowners, for the tanker
22 situation, why not look for a local water supplier so
23 that you're not having to empty a truck in order to get
24 it back up to North Carolina, or look for a smaller size
25 or Aspee tanker, or bring in a second storage tank so

1 that instead of dumping that water across Shandon Road –
2 or wherever they're dumping it now – it could be placed
3 in storage and cut down the number of trips per week
4 that the tanker has to make to Shandon. So far, we
5 haven't heard anything.

6 **Q** So, well, what you're saying, they haven't given you
7 information, then, as to what they're planning to do to
8 make the situation better?

9 **A** They are – they have already attempted to drill Well No.
10 1 and increase that capacity, which at the rate of four
11 gallons per unit, there's probably no hope there. Well
12 No. 2 was investigated to see if it could be deepened or
13 sleeved, casings or material could help to penetrate the
14 bedrock, and it still didn't produce groundwater, and
15 that didn't pan out, and so that Well No. 2 has been
16 closed. So now it's down to just one well, you might
17 say, No. 3, which has never been very high on output.
18 They also looked at and dug a well, which was not
19 productive, at the old lagoon location, which is the
20 water treatment – package water treatment plant is right
21 there. But with that proximity, I wasn't too surprised
22 that they didn't strike any good water.

23 So then they were looking to buy land from a nearby
24 or adjacent homeowner or farmer, and Mr. Calkins, who
25 lives nearby, was agreeable to a temporary lease to

1 allow Carolina Water Service to explore whether or not
2 one of our two wells would be possible to produce enough
3 water to meet the DHEC standards – which is about, I
4 believe, 22 gallons per minute for a community water
5 system. And the first well they dug only produced 12
6 gallons per minute. And I don't know for sure what the
7 second well did, but I'm sure it wasn't any better, and
8 they've abandoned that prospective site. So I guess
9 they're waiting for some other land to turn available,
10 or perhaps York County or Rock Hill Water Systems to be
11 extended to Shandon. And in the meantime, we have the
12 water tanker truck coming to the neighborhood.

13 **Q** So it is a possibility that you could get water from one
14 of the nearby towns?

15 **A** I would think so. They have to find a carrier, a
16 supplier, to carry the water because the trucks have to
17 be specially baffled, so they don't tip over going
18 around a corner or something, because there's water
19 sloshing around. That's why they can't drive it at the
20 high speed out on the interstate with it only half full.
21 It's more dangerous to drive with it with a little bit
22 of water in it than to have it completely full as
23 possible.

24 So I don't know what their next plan is. The
25 homeowners, residents, made several suggestions. And,

again, the response was, "Well, that sounds like it's possible." So, go for it.

Q So, you are staying in touch with ORS, as well, it sounds like, to move forward with the situation?

A Yes, although the ball is in their court. Once again, this was not something that happened overnight. They've known, since Blue Ribbon Water first held the service for water and sewer, that there were problems with the three wells. And Utilities Services was also aware of it. And from 1997 onwards, the most – before this catastrophe, the more recent problem was in 2011, when DHEC found groundwater leaking – a water leak to the ground from our storage tank at Well No. 1. And their philosophy is, if it's leaking out, then the contaminants can get in, so they required that that leak either be fixed or the tank replaced. It took three years to get it replaced, and now we have a 5000-gallon tank, we have a 10,000-gallon tank. But it didn't take very long for them to develop contaminated water, we had frequent boil-water notices, and also E. coli breakouts, and quality is not that good. It's a real problem with the water, and it has been all the years that we've lived there.

COMMISSIONER FLEMING: Thank you.

CHAIRMAN WHITFIELD: Thank you, Commissioner

1 Fleming.

2 Commissioners, any other Commissioner
3 questions for Ms. Fick?

4 [No response]

5 **EXAMINATION**

6 **BY CHAIRMAN WHITFIELD:**

7 **Q** Well, if not, Ms. Fick, I've got a couple of kind of
8 follow-ups for you, myself, from Commissioner Fleming's
9 questions. I had in my notes you said you've been under
10 outside watering bans since November 2015. Is that
11 correct?

12 **A** Yes.

13 **Q** And when did this – the meeting that you – and you were
14 very informative. You provided a lot of information
15 here to Commissioner Fleming's question. When did this
16 meeting with the company take place?

17 **A** That was May 30th of 2016.

18 **Q** 2016.

19 **A** Oh, excuse me. 2017.

20 **Q** 2017. So last year.

21 **A** Right. Because we went a year and a half where we could
22 see the trucks and we could guess what was going on, but
23 we never had any official word, and no one seemed to be
24 able to get ahold of a representative for a definitive
25 answer as to what was going on.

1 Q And you said the ORS representative at that meeting was
2 Mr. Willie Morgan.

3 A Yes.

4 Q Okay.

5 A Ms. Belser was there, too, maybe. I might've missed
6 you.

7 Q Well, okay, we've noted you said Mr. Morgan was there.
8 The wells that Commissioner Fleming was asking you
9 about, you talked about Well No. 2 and Well – when you
10 were answering her question, were you talking about two
11 new wells that they were going to – were you talking
12 about – the two other wells – if I'm not mistaken, what
13 you said, the two other wells were closed, those were
14 closed permanently and these were two new additional
15 wells in addition to the one working well that still
16 serves you. Is that right?

17 A Well, yes, in part. The subdivision had three wells.

18 Q That's Shandon Road, in Rock Hill, right?

19 A Yes, and they are all located on Shandon Road. Some are
20 across the road from one another. And I won't say that
21 they're closed. They aren't capped or anything. They
22 might be opened up and some new material found to shore
23 up the casings, but right now it's not feasible. So
24 they're going in search of new well locations and,
25 basically, abandoning those three well sites that exist

1 now. Well No. 1 does not produce enough to really make
2 it worthwhile for the electricity. And Well No. 2 is so
3 contaminated that DHEC won't allow it to be used. And
4 No. 3, I don't really know for sure what its status is,
5 other than it's always been a low-producing flow.

6 **Q** And your last understanding, they are pinning their
7 hopes on leasing this property from a farmer that's
8 adjacent to – they're hopeful might produce the gallon
9 per flow per minute necessary to provide – to serve the
10 Shandon area.

11 **A** That's correct. They were hoping for that. But they
12 drilled two wells, so far, and they've been
13 unproductive. So I'm assuming that that situation or
14 arrangement with that land has fallen through, that it
15 was conditional on there being potable water available,
16 in sufficient quantity to satisfy DHEC.

17 **CHAIRMAN WHITFIELD:** Well, thank you, Ms.
18 Fick, for your testimony. And, again, I would
19 remind you what you already know; the company
20 officials are in the room and ORS is in the room.
21 And after the hearing, after the Commission is
22 gone, I certainly think both of those groups would
23 be willing to talk with you. And, with that, if
24 there's nothing further, you may step down.

25 **WITNESS:** Thank you.

1 **CHAIRMAN WHITFIELD:** Thank you.

2 [Applause from audience]

3 [WHEREUPON, the witness was excused.]

4 Mr. Minges.

5 **MR. MINGES:** Thank you, Mr. Chairman.

6 Allison Love, would you please come forward.

7 [Witness affirmed]

8 THEREUPON came,

9 **A L L I S O N L O V E ,**

10 who, having been first duly affirmed, testified as follows:

11 **MR. RICHARDSON:** Please state your name and
12 address.

13 **WITNESS:** My name is Allison Love. I live at
14 697 Sandbar Point, Lake Wylie. This is – I feel
15 like I'm really loud.

16 **CHAIRMAN WHITFIELD:** No, you're fine. And we
17 understand you wanted to speak last, since you're
18 the County Council representative out here. And we
19 are honoring your request.

20 **WITNESS:** Yes. Thank you for coming to
21 beautiful Lake Wylie, where we drink wine because
22 it's cheaper than water.

23 [Laughter]

24 **CHAIRMAN WHITFIELD:** It's not often we get to
25 laugh. Go ahead, Ms. Love.

1 **WITNESS:** So, I do, I represent District Two,
2 and was also a former customer of Carolina Water
3 for 25 years, so I know firsthand some of the
4 issues.

5 York County has just completed a two-year
6 negotiation with Carolina Water Service. And,
7 personally, I feel like their timing for this rate
8 hike, having – you know, we’ve just signed a new
9 contract with them for an additional 25 years, so
10 their – their timing is horrendous. And if you
11 look at the people in this room, there are about 90
12 people, each person here represents about 100
13 people because there are over 9000 customers of
14 Carolina Water Service in York County. I represent
15 the 4300 that live in District 2, which is Lake
16 Wylie.

17 We’re at a disadvantage because we’ve got a
18 great County attorney – thank you, Michael Kendree,
19 for being here tonight and for working with
20 Carolina Water Service for the past two years – and
21 a great head of our Public Works Department is
22 here, but we’re at a disadvantage as just
23 individual people who feel like we should have
24 clean, good, fairly priced water. And we’re up
25 against attorneys and people that, you know, they

1 do this every day; they fight for higher rates
2 every day. And we are not. Every time we have
3 fought just to keep the rates that we already have,
4 it's been denied.

5 So I have two concerns tonight: One is I think
6 that the rate increase is unwarranted, because I do
7 feel like they only put about \$200,000 into the –
8 as a capital investment in this area. I would like
9 for you to look at that and consider that. They're
10 asking for rate increases in three counties in
11 South Carolina, yet we have not received the
12 capital improvements that are deserving of a rate
13 increase like this. My second concern is that they
14 are asking to not have to come before the Public
15 Service Commission for additional rate increases.
16 My take on that is, anybody that is as greedy as
17 they are in what they're asking for, please do not
18 give them a blank check on the people that are in
19 this room and the other, you know, 9200 people that
20 they represent.

21 I'm looking at my notes, because they're kind
22 of all over the place. I have suggested to
23 Catherine Heigel, who is the new president of
24 Carolina Water Service, that they do a water test.
25 I think they maybe have time to do that between now

1 and the public service hearing, maybe decision, on
2 the first week of April. I would love for that to
3 take place.

4 The two things that you, each of you, and I
5 have in common: two words, public service. I get
6 up every morning and I represent the people of my
7 district to the best of my abilities. I return
8 every phone call, every message. I was voted on to
9 represent them, to fight for them. And that's why
10 I'm here tonight, because I do not want them to be
11 taken advantage of by a company like Carolina
12 Water.

13 I appreciate y'all coming to Lake Wylie. I
14 wish it were a little better weather and you could
15 spend a little more time with us, maybe. But I
16 just want to close with something that I learned,
17 oh my gosh, maybe in the sixth or seventh grade.
18 It's a little saying, and I thought, "That is
19 ridiculous for them to make us memorize this." And
20 that was: Water, water everywhere, and not a drop
21 to drink.

22 Thank you for being here tonight.

23 [Applause from audience]

24 **CHAIRMAN WHITFIELD:** I'd like to thank you,
25 Ms. Love, for your testimony. If you could bear

1 with us just a minute to see if there are any
2 questions.

3 Mr. Elliott.

4 **MR. ELLIOTT:** No questions of Ms. Love.

5 **WITNESS:** Thank you.

6 **CHAIRMAN WHITFIELD:** Ms. Belser.

7 **MS. BELSER:** No questions. Thank you.

8 **CHAIRMAN WHITFIELD:** Mr. Kendree, do you have
9 any questions for this witness?

10 **WITNESS:** He'd better not ask me a question.

11 **MR. KENDREE:** She's under oath, right?

12 **CHAIRMAN WHITFIELD:** Sir?

13 **MR. KENDREE:** She's under oath, right?

14 **CHAIRMAN WHITFIELD:** Yes, sir, she's under
15 oath.

16 [Laughter]

17 **MR. KENDREE:** No questions, thank you.

18 **WITNESS:** There are things he might like to
19 know, though.

20 **CHAIRMAN WHITFIELD:** Commissioners, questions
21 for Councilman Love? Commissioner Fleming.

22 **EXAMINATION**

23 **BY COMMISSIONER FLEMING:**

24 **Q** Dare I go there, but you just signed a contract for 25
25 years with Carolina Water Service?

1 **A** York County has, in good faith, signed a 25-year
2 contract with Carolina Water. However, I want to add to
3 that, that my intent over the next 12 to 18 months is to
4 do the due diligence necessary to determine are we going
5 to keep them as our water supplier or is York County
6 going to buy them out. So everything that you've heard
7 tonight from the people, all of these problems, I will
8 accumulate everything in a book, and we will, as a
9 County, make a decision in about a year to 18 months, as
10 to what we want to do. My goal would be to have
11 Carolina Water Service be a great water service and to
12 work with the people of Lake Wylie and everybody be
13 happy going forward. So I'm just going to evaluate that
14 over the next, you know, year to year and a half, and
15 we'll make that determination at the time. For them,
16 it's an all-or-nothing.

17 **Q** Okay. I know, as an elected official, too, a lot of
18 times, a lot more – we heard a lot of groans when you
19 said that.

20 **A** Oh, yeah.

21 **Q** But a lot more goes into those decisions –

22 **A** Yes.

23 **Q** – than is normally –

24 **A** There were very specific reasons why we did sign another
25 contract, and I've had meetings and I've shared that,

1 and I'm willing to share that with anybody and everybody
2 that wants to know more about that decision. At this
3 point, it was the best decision the County could make on
4 behalf of the people. We just want it to continue to be
5 the best decision, going forward.

6 **Q** Thank you for that.

7 **A** Thank y'all for being here.

8 **CHAIRMAN WHITFIELD:** Thank you, Commissioner
9 Fleming.

10 Commissioners, any other questions?
11 Commissioner Hamilton.

12 **COMMISSIONER HAMILTON:** Mr. Chairman, I don't
13 have a question, but I would like to compliment Ms.
14 Love on being a politician that's here at the end
15 of the meeting.

16 [Laughter]

17 **WITNESS:** Oh, was I supposed to go first?
18 I've been going last for over a year now. Thank
19 you.

20 **CHAIRMAN WHITFIELD:** I've been on the
21 Commission 10 years and you're the first elected
22 official to go last that I've ever seen.

23 **WITNESS:** Really?

24 **CHAIRMAN WHITFIELD:** So we thank you for your
25 participation.

1 If there are no further questions from
2 Commissioners, Ms. Love, we thank you for your
3 testimony and you may step down.

4 [WHEREUPON, the witness was excused.]

5 Before we wrap up, I'm going to turn this back
6 over to our attorney, Mr. Minges. But, again, I
7 think – I know I've said it at least once during
8 this hearing. I would remind you, again, you have
9 a unique opportunity tonight. The company
10 officials are here and the South Carolina State
11 Office of Regulatory Staff is here.

12 And I'm going to hand this to Mr. Minges, but
13 he's going to go over the rest of the process.
14 This is one of many night hearings that will be
15 held in this case, and he's also going to mention
16 what we call the merits hearing where the case will
17 actually be heard in our courtroom, in our
18 chambers, in Columbia. So I'm going to turn it
19 over to Mr. Minges and give you some further
20 instruction and process of how that goes.

21 **MR. MINGES:** Thank you, everybody, for coming
22 out tonight, especially in the rain.

23 We do have two other night hearings that are
24 scheduled in the docket. One is on March 13th;
25 that's going to occur in Greenville. And the other

1 is March 15th, and that's in our offices at
2 Columbia. And then the company is going to present
3 its case to the Commission on April 4th. But,
4 please, just so you know, our policy is that you
5 only testify at one public hearing, so if you
6 testified tonight, then the other public hearings
7 are for people who haven't testified.

8 Thank you, Mr. Chairman.

9 **CHAIRMAN WHITFIELD:** Thank you, Mr. Minges.

10 And, again, we'd like to thank all of you for
11 your participation and for being here and for
12 coming out tonight.

13 Is there anything further from any of the
14 parties? Mr. Elliott.

15 **MR. ELLIOTT:** Mr. Chairman.

16 **CHAIRMAN WHITFIELD:** Yes, sir.

17 **MR. ELLIOTT:** Could we just review the hearing
18 exhibits, please, before we get out of here?

19 **CHAIRMAN WHITFIELD:** Yes, sir. If you'll hold
20 one second, all the parties, I'm going to ask Mr.
21 Minges to review the hearing exhibits for the
22 record.

23 **MR. MINGES:** Okay. The first hearing exhibit
24 is the sign-in sheets. The second exhibit was from
25 Mr. Kehler; that's the water quality report. And

1 the third exhibit was the information handed up by
2 Ms. Fick.

3 [Discussion off the record]

4 Okay, No. 3 was the newspaper article.

5 MR. ELLIOTT: And who had the newspaper
6 article? Mr. —

7 COURT REPORTER: Tansey.

8 MR. ELLIOTT: — Tansey? How about, if I may,
9 Mr. Ledford suggested he had a transcript, and I
10 don't know if it was passed up or not.

11 COURT REPORTER: It was passed up. We didn't
12 mark that as an exhibit.

13 MR. ELLIOTT: And would that then make Ms.
14 Fick's exhibit No. 4?

15 MR. MINGES: No. 4, that's correct.

16 MR. ELLIOTT: Thank you.

17 CHAIRMAN WHITFIELD: Ms. Belser.

18 MS. BELSER: Mr. Chairman, I thought I
19 understood Mr. Minges to say that the day hearing
20 is on April 4th, and I thought it was April 3rd.

21 CHAIRMAN WHITFIELD: I'll let Mr. Minges
22 address that.

23 MR. MINGES: Well, subject to check, then.
24 When I looked at the docket this morning, there was
25 no notation as to the 3rd, and it did have a

1 notation next to the 4th. So subject to check on
2 that, it does appear it is on the 4th, but if
3 there's a mistake with that, then –

4 **CHAIRMAN WHITFIELD:** Okay. Ms. Belser,
5 Commissioner Elam tells me it is April 3rd. And
6 that hearing will start at 10:30 a.m., Tuesday,
7 April 3rd. Again, there will be a public comment
8 time at the beginning of that hearing, as well.

9 Is there anything further from any of the
10 parties? Mr. Kendree, anything further from you?

11 **MR. KENDREE:** No, thank you.

12 **CHAIRMAN WHITFIELD:** Well, if not, again,
13 thank everyone for their participation, and the
14 hearing is adjourned.

15 [WHEREUPON, at 8:02 p.m., the hearing in
16 the above-entitled matter was adjourned.]

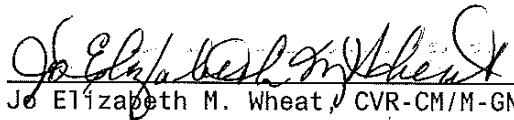
17
18 [WHEREUPON, Hearing Exhibit No. 1 was
19 marked and received in evidence.]
20

C E R T I F I C A T E

I, Jo Elizabeth M. Wheat, CVR-CM-GNSC, Notary Public in and for the State of South Carolina, do hereby certify that the foregoing is, to the best of my skill and ability, a true and correct transcript of all the proceedings had and testimony adduced in a hearing held in the above-captioned matter before the PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA;

That the witnesses appearing during said hearing were sworn or affirmed to state the truth, the whole truth, and nothing but the truth;

IN WITNESS WHEREOF, I have hereunto set my hand and seal, on this the 21st day of March, 2018.


Jo Elizabeth M. Wheat, CVR-CM/M-GNSC
Hearings Reporter, PSC/SC
My Commission Expires: January 27, 2021.